

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil No. 6:09-cv-00054-NKM
	:	
CERTAIN VISUAL DEPICTIONS OF	:	
NUDE MINORS, et al.,	:	
	:	
Defendants.	:	

STIPULATION FOR COMPROMISE SETTLEMENT

It is hereby stipulated by and between the United States of America, and Claimant David C. Eisenlohr, by counsel, that the parties do hereby agree to settle and compromise the above-entitled action upon the following terms:

1. The United States alleges that the defendant property was involved in violations of 18 U.S.C. § 2252 and/or § 2252A, as set forth in the Complaint for Forfeiture *in rem* filed herein and is, therefore, subject to forfeiture to the United States pursuant to 18 U.S.C. § 2254. Pursuant to agreement with the United States and in order to compromise the claim, Claimant David C. Eisenlohr has agreed not to contest the allegation by the United States, solely for purposes of this Stipulation for Compromise Settlement. It is understood and agreed by the parties that this Stipulation is for the compromise of a disputed claim. The Stipulation is not to be construed as an admission by Claimant that the defendant property was involved in said violations as set forth by the United States, and is not to be construed as an admission by the United States that the defendant property was not involved in said violations.
2. The following items shall be forfeited to the United States pursuant to 18 U.S.C. §

2254. Upon execution of this Stipulation, the United States will move the Court for an order of forfeiture as to these items:

A. All originals and copies, in whatever format, of the items listed under the following categories in the Insider Video Club Complete Product List, as of August 24, 2006, attached hereto as Attachment A, and any related materials including still photos therefrom:

- (1) Baikal Films;
- (2) Europa Sun Productions;
- (3) PojkART;
- (4) Oskar; and
- (5) ZZ.

B. All originals and copies, in whatever format, of the following items listed under the "Eurovid and Naturist" category in the Insider Video Club Complete Product List, as of August 24, 2006, attached hereto as Attachment A, and any related materials including still photos therefrom:

- (1) Another Summer Holiday;
- (2) At the Black Sea, Parts I and II;
- (3) FKK Blue Adria;
- (4) FKK Summer Holiday; and
- (5) Peter and the Desert Riders.

C. All originals and copies, in whatever format, of the following items:

(1) Photosets:

- (a) Claude;
- (b) A Day at the River with Gabriel;
- (c) Distant Days;
- (d) The Good Deed;
- (e) Jean-Marie & Michel;
- (f) North Sea I and II '86 - '90;
- (g) On the Gulf I, II, and III;
- (h) Oskar #1, #2, #3, and #4;
- (i) The Pool Portfolio;
- (j) Sand Fleas;
- (k) The Sandy Hill Portfolio;
- (l) Schulte;
- (m) When the Sun Laughs; and
- (n) ZZ Photos #7, #9, #10, and any unnumbered ZZ photosets.

(2) Magazines:

- (a) Arcade Magazine Collection.

(3) Picture CDs:

- (a) Between Nine and Thirteen;
- (b) Black-Rock Boys;
- (c) Boyhood Australia;
- (d) Jungenland (Boy Land);
- (e) Light and Shadow (Licht und Schatten);
- (f) Memory; and
- (g) Zittergras.

- (4) "Arcade" brochures or catalogs.

- (5) Insider Video Club or IVC flyers, brochures, and/or catalogs promoting or marketing any item to be forfeited herein.

- D. All other items seized by the United States on December 19, 2006 from 5220 Santa Monica Boulevard, Suites 206, 207, 208, 209, and 210, Hollywood, CA, pursuant to the execution of two federal search warrants, which are not specified in Paragraph 3 as items to be released.

3. The following items shall be released to Claimant and/or Joel Hoppe, Esquire, counsel for Claimant, to the extent such items are in the United States' custody:

- A. All originals and copies, in whatever format, of the items listed under the following categories in the Insider Video Club Complete Product List, as of August 24, 2006, attached hereto as Attachment A, and any related materials including still photos therefrom:

- (1) Theatrical Films;
- (2) Award Films;
- (3) EuroWood Productions;
- (4) Bel Ami Boys;
- (5) Documentary;
- (6) Erotic;
- (7) Music CDs;
- (8) Photobooks;
- (9) Books; and

(10) Calendars.

B. All originals and copies, in whatever format, of the following items listed under the "Eurovid and Nudist" category in the Insider Video Club Complete Product List, as of August 24, 2006, attached hereto as Attachment A, and any related materials including still photos therefrom:

- (1) Athletes of the Sun;
- (2) Bare Tail Weekend Warriors;
- (3) Blueboys;
- (4) Boys and Men Forever Together;
- (5) Camp Nudist;
- (6) Ciao-Ciao Radik;
- (7) Czech Children's Day;
- (8) Euro-Nudist Families #3;
- (9) Families Across the Sea #1 and #2;
- (10) Family Portraits #2;
- (11) Festival of Masks;
- (12) Halloween Party;
- (13) Happy Birthday Petra;
- (14) Happy Birthday Twins;
- (15) Happy Nude Year;
- (16) Hip, Hip Natura;
- (17) Moravian Dance Celebration;
- (18) Naked Muscle Warriors;
- (19) Naked Sun, Naked Fun;
- (20) Naked USA, Vol. 4, Arizona/Nevada;
- (21) Natura Bowl Tournament;
- (22) Nudist Buddies Vols. 1 - 9, and 11 - 13;
- (23) Pool Buddies;
- (24) Slippery When Wet;
- (25) Sport Rally;
- (26) Up for Grabs!;
- (27) Wet, Fit and Nudist;
- (28) Slim Pfeiffer's Boyhood Scrapbook; and
- (29) Slim Pfeiffer's Spring Break.

C. All originals and copies, in whatever format, of the following items:

(1) Photosets:

- (a) Beach Runners; and
- (b) The Genesis Children Portfolio.

(2) Magazines:

- (a) Koinos Magazines.

(3) Picture CDs:

- (a) I Say Yes (Ich Sag Ya);
(b) Models by Bel Ami;
(c) Pictures of Johan & Friends; and
(d) Wrestle.

D. All originals and copies, in whatever format, of "The Boys of Beslan" and "High School Cadets," notwithstanding Paragraph 2.A(1).

E. One copy each of the following "Arcade" brochures or catalogs, notwithstanding Paragraph 2.C(4):

- (1) 1988 May-June Volume 1, No. 1;
- (2) 1988 July-August Volume 1, No. 2;
- (3) 1988 September-October Volume 1, No. 3;
- (4) 1989 January-February Volume 2, No. 1;
- (5) 1989 March-April Volume 2, No. 2;
- (6) 1989 May-June Volume 2, No. 3;
- (7) 1989 September-October Volume 2, No. 5;
- (8) 1990 February-March Volume 3, No. 2;
- (9) 1990 April Volume 3, No. 3;
- (10) 1990 August Volume 3, No. 6;
- (11) 1990 October Volume 3, No. 8;
- (12) 1990 December Volume 3, No. 10;
- (13) 1991 January Volume 4, No. 1;
- (14) 1991 May Volume 4, No. 4;
- (15) 1991 June Volume 4, No. 5;
- (16) 1991 December Volume 4, No. 12;
- (17) 1992 April Volume 5, No. 4;
- (18) 1992 August - September Volume 5, No. 8 & 9;
- (19) 1992 October Volume 5, No. 10;
- (20) 1992 November Volume 5, No. 11;
- (21) 1992 December Volume 5, No. 12;
- (22) 1993 January Volume 6, No. 1;
- (23) 1993 February Volume 6, No. 2;
- (24) 1993 March Volume 6, No. 3;
- (25) 1993 May Volume 6, No. 5;
- (26) 1993 June-July Volume 6, No. 6;

- (27) 1993 August Volume 6, No. 7;
- (28) 1993 October Volume 6, No. 10;
- (29) 1993 November Volume 6, No. 11;
- (30) 1994 August Volume 7, No. 8;
- (31) 1995 Volume 8, No. 9;
- (32) 1996 Volume 9, No. 1;
- (33) 1996 Volume 9, No. 8;
- (34) 1997 Volume 10, No. 7;
- (35) 1997 Volume 10, No. 12;
- (36) 1998 Volume 11, No. 4; and
- (37) 1998 Volume 11, No. 5.

F. The following computers, with any and all hard drives contained therein wiped:

- (1) Dell Precision, Model MMP, Serial No. 5V3U2 (evidence tag A01286867);
- (2) Black tower (evidence tag A01286863);
- (3) Tan tower (evidence tag A01286870);
- (4) Dell Dimension, Model 8400, Serial No. 3BL7R61 (evidence tag A01286868);
- (5) Tan tower (evidence tag A01286866); and
- (6) Dell Latitude, Model PP04X (evidence tag A01286869).

4. It is understood that the items listed in paragraph 2 above will be forfeited to the United States in full and final satisfaction of all claims and rights of the United States to forfeiture of the defendant property pursuant to 18 U.S.C. § 2254, in connection with the activity described in the Complaint for Forfeiture *in rem* filed herein.

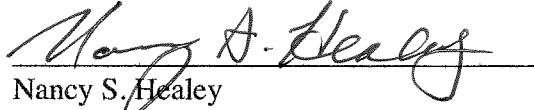
5. Claimant hereby releases and forever discharges the United States, its officers, agents, servants and employees, its heirs, successors, or assigns, from any and all actions, causes of action, suits, proceedings, debts, dues, contracts, judgments, damages, claims, and/or demands whatsoever in law or equity which Claimant, his, heirs, successors, or assigns ever had, now have, or may have in the future in connection with the seizure and detention of the defendant property, and/or as a result of this action.

6. Claimant further agrees to hold and save the United States, its servants, employees, heirs, successors, or assigns harmless from any claims by any others, including costs and expenses for or on account of any and all lawsuits or claims of any character whatsoever, in connection with the seizure and detention of the defendant property, and/or as a result of this action.

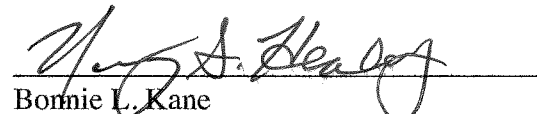
7. Claimant waives all rights to costs and attorneys' fees under any provision of law. The parties agree that neither the United States nor Claimant substantially prevailed in this litigation.

TIMOTHY J. HEAPHY
United States Attorney
Western District of Virginia

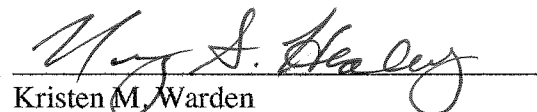
Date: 5/29/13


Nancy S. Healey
Assistant United States Attorney
Va. Bar #39447


Date: 5/29/13


for Bonnie L. Kane
Trial Attorney, Criminal Division
Child Exploitation and Obscenity Section

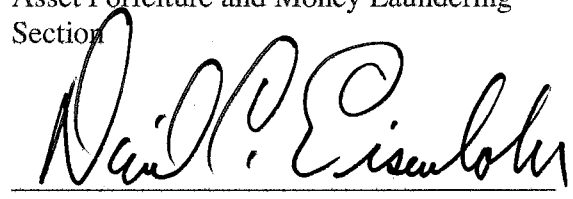
Date: 5/29/13


for Kristen M. Warden
Trial Attorney, Criminal Division
Asset Forfeiture and Money Laundering
Section

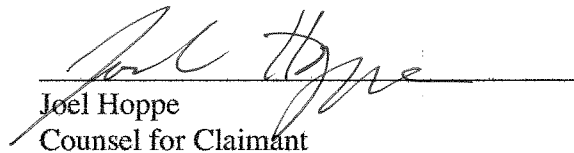
Date: 5/29/13


for Chaim Bryski
Trial Attorney, Criminal Division
Asset Forfeiture and Money Laundering
Section

Date: 5/24/13


David C. Eisenlohr
Claimant

Date: 5/28/13


Joel Hoppe
Counsel for Claimant